

NATIONAL SEMINAR ON COURT AND CASE MANAGEMENT FOR DISTRICT
JUDICIARY

[P-1354]

TABLE OF CONTENTS

Sr. No	SESSION 1: COURT AND CASE MANAGEMENT: CASE FLOW MANAGEMENT FOR DOCKET CONTROL	Page No.
1.	Jayath K. Krishnan, et.al., <i>Grappling at the Grassroots: Access to Justice in India's Lower Tier</i> , 27 Harv. Hum. Rts. J. 151 (2014)	
2.	David Neubauer, <i>Judicial Role and Case Management</i> , The Justice System Journal , Winter 1978, Vol. 4, No. 2 (Winter1978), pp. 223- 232	
3.	Dr. Kalpeshkumar L Gupta, <i>Indian Judicial system needs uniformity in case classification</i> , (2019), Available at : http://courtmanagement.in/paper-upload/46-Cs%20Case%20Types%20Dr%20Kalpesh%20n.pdf	
4.	Hon'ble Justice M. Jagannadha Rao, <i>Case Management and its Advantages</i> . Available at: https://drsivalaw.wordpress.com/2009/12/08/case-management-and-its-advantages-by-justice-m-jagannadha-rao/	
5.	Hon'ble Justice Madan B. Lokur, <i>Case Management Through Court Annexed Mediation And Other Developments</i> . Available at: https://www.csja.gov.in/images/p1195/s_3_lct_court_and_case_management/Jus_Lokur_CASE_MANAGEMENT_THROUGH_COURT_ANNEXED_MEDIATIO.pdf	
6.	<i>Steven S. Gensler, Judicial Case Management: Caught In The Crossfire; Duke Law Journal</i> , December 2010, Vol. 60, No. 3, Special Symposium Issue, 2010 Civil Litigation Review Conference (December 2010), pp. 669-744	
7.	M. Janice Michels; <i>Case Management Techniques Work</i> , The Justice System Journal , 1995, Vol. 18, No. 1 (1995), pp. 75-88	
8.	<i>Differentiated Case Management</i> , Office of Justice Programmes, Available at : https://www.ojp.gov/pdffiles/difm.pdf	
9.	<i>Case Management under the National Court Framework</i> , Federal Court of Australia. Available at : https://www.fedcourt.gov.au/about/national-court-framework/case-management	
10.	<i>Guiding principles for effective case management</i> , Department of Justice Canada. Available at : https://www.justice.gc.ca/eng/rp-pr/csj-sjc/esc-cde/pdf/eff.pdf	
11.	<i>Case Flow Management Rules in India By DAKSH</i> . Available at : https://dakshindia.org/wp-content/uploads/2015/11/Case-Flow-Management-Rules-in-India-by-DAKSH.pdf	

SESSION 2
ASSESSING AND ENHANCING COURT PERFORMANCE: MODEL PLAN AND STRATEGIES

1.	Dan H. Hall and Ingo Keilitz, <i>Global Measures of Court Performance, on International Framework for Court Excellence: Discussion Draft Version 3</i> , November 9, 2012 Available at : http://www.courtexcellence.com/~media/microsites/files/icce/global%20measures_v3_11_2012.ashx	
2.	<i>Why Measure Performance? CourTools Performance Measures</i> , National Center for State Courts, 2005 Available at : http://www.courtools.org/~media/Microsites/Files/CourTools/CourTools_Trial_Why_Measure.ashx	
3.	<i>The International Framework for Court Excellence</i> , 2nd Edition, March 2013 Available at : http://www.courtexcellence.com/~media/Microsites/Files/ICCE/The%20International%20Framework%20E%202014%20V3.ashx	
4.	G. Mohan Gopal: <i>Justice and the two Ideas of India</i> , The Frontline Available at : http://www.frontline.in/cover-story/justice-and-the-two-ideas-of-india/article8581178.ece	
5.	Hon'ble Justice R. C. Chavan, <i>Creating Model Courts in India</i> A write-up prepared for NJA Conference	
6.	Ingo Keilitz et al., <i>An Introduction to Selecting the Right Indicators to Improve Court Performance</i> , Just Development, Issue 3, May-2014 (The World Bank) pp: 1-5	
7.	<i>NCMS Baseline Report on National Framework of Court Excellence.</i> - Report of the sub-committee headed by Hon'ble Ms. Justice G. Rohini Available at : https://main.sci.gov.in/pdf/NCMS/National%20Framework%20of%20Court%20Excellence.pdf	
8.	Ziyad Motala, <i>Judicial Accountability and Court Performance Standards: Managing Court Delay</i> ; The Comparative and International Law Journal of Southern Africa, Vol. 34, No. 2 (July 2001), pp. 172-187	
9.	Dr. Pim Albers, <i>The Assessment of Court Quality: Hype or Global Trend?</i> Available at : http://www.albersconsulting.eu/pdf/The%20assessment%20of%20court%20quality_hypeornot.pdf	
10.	Pratik Dutta et.al. <i>How to Modernise the Working of Courts and Tribunals in India</i> ; National Institute of Public Finance and Policy New Delhi, 2019	
11.	<i>Lessons learned in court digitization</i> , Thomson Reuters Management Solutions, (2015) Available at : https://static.legalsolutions.thomsonreuters.com/index/pdf/lessons-learned-in-courts-digitisation-whitepaper.pdf	
12.	DAKSH, <i>Role of court managers in Indian judiciary- Past, Present, and the Way Ahead</i> , August 2020 Available at :	

	http://courtmanagement.in/paper-upload/72-ROLE-OF-COURT-MANAGERS-IN-INDIAN-JUDICIARY.pdf	
13.	Vandana Kochar & Dr. Atul Zende, <i>Rejuvenating court management by professionally qualified Court Managers</i> , National Conference on Backlog of cases and Court Management at Gujarat National Law University, Gandhinagar, Available at : http://courtmanagement.in/paper-upload/34-19.%20Vandana.pdf	
14.	Basanta Kumar Mohanty, <i>Role of Court Managers in Reducing pendency</i> Available at : http://courtmanagement.in/paper-upload/37-15%20Basanta.pdf	
15.	Justice Roshan Dalvi, <i>The Business of Court Management</i> , 16 (3) Nyaya Deep 13-35 (2015)	
SESSION 3 HUMAN RESOURCE MANAGEMENT AND MOTIVATIONAL LEADERSHIP		
1.	Joe McIntyre, <i>Evaluating Judicial Performance Evaluation: A Conceptual Analysis</i> , Oñati Socio-legal Series, v. 4, n. 5 (2014), pp. 898-926	
2.	Hon'ble Justice R. Banumathi, <i>Effective District Administration, 'Effective District Administration'</i> published by Tamil Nadu State Judicial Academy (2013), pp. 1-13	
3.	Hon'ble Justice M. Thanikachalam, <i>Administration of District Courts – Inspection, Disciplinary Proceedings, Annual Confidential Reports – Staff Recruitment</i> , Lecture delivered at Tamil Nadu State Judicial Academy on 27th March 2011 Available at: http://www.tnsja.tn.gov.in/article/Admn%20of%20Dt%20Crts%20MTJ.pdf	
4.	Stephen Colbran, <i>The Limits of Judicial Accountability: The Role of Judicial Performance Evaluation</i> , 6 LEGAL Ethics 55 (2003).	
5.	Surya Prakash, <i>Open courts provide assurance of justice</i> Available at: https://indiatogether.org/articles/open-court-laws/print	
6.	Franklin Dehousse, <i>The Lessons for Judicial Management</i> Available at: http://www.jstor.com/stable/resrep06694.9	
7.	Justice Brian J Preston, <i>Achieving Court Excellence: The Need for a Collaborative Approach</i> , A Paper presented to “Judiciary of the Future” - International Conference on Court Excellence; Singapore , 28 January 2016	
8.	Palumbo, G., et al., " <i>Judicial Performance and its Determinants: A Cross-Country Perspective</i> ", OECD Economic Policy Papers, No. 5, OECD Publishing, Paris,(2013) Available at: https://doi.org/10.1787/5k44x00md5g8-en .	
9.	Daniel J. Hall, <i>The Journey Towards Court Excellence: Trends and Practices to Meet the Future</i> , 51 S. Tex. L. Rev. 935 (2010)	
10.	Brian Ostrom et al., <i>Becoming a High-Performance Court</i> , The Court Manager, Volume 26, Issue 4, pp: 35-43.	
SESSION 4 BAR AND BENCH RELATIONS IN DISTRICT JUDICIARY		
1.	Dana Ann Remus, <i>Just Conduct: Regulating Bench-Bar Relationships</i> , Yale Law & Policy Review, Vol. 30, No. 1 (fall 2011), pp. 123-168	

2.	Hon'ble Justice M.M. Kumar, <i>Sensitization of Judicial Officers in Dispensation of Justice with a Focus on Court Craft & Court Conduct and Bench & Bar Relationship</i> Available at : https://highcourtchd.gov.in/sub_pages/left_menu/publish/articles/articles_pdf/Article%20of%20Justice%20M.M.pdf	
3.	Joe B. Hamiter, <i>Forum Juridicum: The Ideal Relationship Between the Bench and the Bar</i> , Louisiana Law Review, Volume 20, No 4, June 1960 Available at: http://digitalcommons.law.lsu.edu/lalrev/vol20/iss4/6	
4.	Justice Mirza Hameedullah Beg, <i>Role of the Bench and the Bar</i> Available at: https://www.allahabadhighcourt.in/event/RoleoftheBenchandtheBarMHBeg.pdf	
5.	Edward D. Re, <i>The Partnership of Bench and Bar</i> ; The Catholic Lawyer Volume 16, Number 3, Summer 1970 Available at: http://scholarship.law.stjohns.edu/tcl/vol16/iss3/4	
6.	Hon'ble Justice C. Nagappan, <i>Relationship between the Bar and the Bench</i> , (2002) 1 LW (JS) 65	
7.	Randall T. Shepard, <i>Judicial Professionalism and the Relations Between Judges and Lawyers</i> , 14 Notre Dame J.L. Ethics & Pub. Pol'y 223 (2000)	
8.	Justice R.V. Reaveendran, <i>Justice Delivery – Some Challenges and Solutions</i> , 2022 8 SCC (J-1)	
SESSION 5 REMEDIAL STEPS FOR COMBATING DELAY AND MAKING THE COURTS LITIGANTS FRIENDLY		
1.	Hon'ble Justice K.G. Balakrishnan, <i>Courts as Agents of Social Change: Judicial Infrastructure and Access to Justice, Quality of Justice Delivery and Judicial Accountability</i> , (2009) 3 SCC J-1	
2.	Hon'ble Justice P. Sathasivam, <i>Effective District Administration and Court Management</i> , (2013) 3 LW (JS) 33	
3.	Hon'ble Justice B.N. Agarwal, <i>Pendency of Cases & Speedy Justice</i> , (2007) 6 SCC J-1	
4.	Gabrielle Appleby and Suzanne Le Mire, <i>Judicial conduct: Crafting a System that enhances institutional integrity</i> , Melbourne University Law Review, Vol 38:1, (2014)	
5.	Harish Narasappa et.al. <i>Access to Justice Survey: Introduction, Methodology, and Findings</i> , State of the Indian Judiciary, SCC OnLine Articles- Section Four on Access to Justice, EBC Publishing Pvt. Ltd., Lucknow. (2016)	
6.	<i>Best Practices adopted in the District and Subordinate Courts of the State of Chhattisgarh for the Speedy Disposal of Old Pending Cases, Under Trial Cases, Bail Matters, Cases in which Interim Orders have been passed, and Special Category Cases</i> , Available at : https://highcourt.cg.gov.in/bestprectices/bast_practices.pdf	
7.	Cynthia Gray, <i>Crossing the line</i> , Bolch Judicial Institute at Duke Law; Duke University School of Law, (2021)	
8.	Arunav Kaul et.al, <i>Deconstructing Delay: Analyses of Data from High Courts and Subordinate Courts; Approaches to Justice</i> , Report in Approaches to Justice in India, DAKSH, (2017)	
9.	A.P.J. Abdul Kalam <i>Delay in Administration of Criminal Justice</i> , (2007) 4 SCC J-1	

10.	Shubham Pandey and Uday Shankar, <i>Issue of Rising Arrears and Pendency in Indian Judiciary: A Consequence of Non-Adherence to Policy Recommendation and Uninformed Policymaking</i> , 2023 SCC OnLine Blog OpEd 43	
11.	Carrie Menkel- Meadow, <i>Private Lives and Professional Responsibilities? The Relationship of Personal Morality to Lawyering and Professional Ethics</i> , 21 PaceL. Rev. 365 (2001)	
12.	P.H. Parekh, <i>Speedy Justice, Judicial Overload and the Common Litigant: Some Solutions</i> , (2009) 3 SCC J-8	
13.	Abhishek Singhvi, <i>Beating the Backlog - Reforms in Administration of Justice in India</i> in Judicial Review Process, Powers and Problems 46-59 (Salman Khurshid, Sidharth Luthra, Lokendra Malik & Shruti Bedi, Cambridge University Press ed., 2020)	

CASE LAW

(Judgments mentioned below includes citation and short note for reference and discussion purpose during the course of the programme. Please refer the full judgment for conclusive opinion)

1.	<i>Election Commission of India v. M.R. Vijayabhaskar, (2021) 9 SCC 770</i> The Supreme Court held that the concept of an Open Court requires that information relating to a Court proceeding, including oral remarks by the bench, must be available in the public domain.
2.	<i>In Re: To Issue Certain Guidelines Regarding Inadequacies and Deficiencies In Criminal Trials v. The State of Andhra Pradesh & Ors., (2021) 10 SCC 598</i> After noticing common deficiencies which occur in the course of criminal trials and certain practices adopted by trial courts in criminal proceedings as well as in the disposal of criminal cases and causes directed all High Courts to take expeditious steps to incorporate the Draft Rules of Criminal Practice, 2021 as part of the rules governing criminal trials, and ensure that the existing rules, notifications, orders and practice directions are suitably modified, and promulgated (wherever necessary through the Official Gazette) within 6 months.
3.	<i>Ram Murti Yadav v. State of U.P., (2020) 1 SCC 801</i> It has to be kept in mind that a person seeking justice, has the first exposure to the justice delivery system at the level of subordinate judiciary, and thus a sense of injustice can have serious repercussions not only on that individual but can have its fall out in the society as well. It is therefore absolutely necessary that the ordinary litigant must have complete faith at this level and no impression can be afforded to be given to a litigant which may even create a perception to the contrary as the consequences can be very damaging.
4.	<i>Swapnil Tripathi and Others v. Supreme Court of India and Another (2018) 10 SCC 639</i> <ul style="list-style-type: none"> • The Court held that the ability to view live broadcasts of the Supreme Court proceedings flowed from the right of access to justice in the Constitution. The Court said that this right should not be absolute. It provided a set of Model Guidelines which should govern the courts' discretion on when such broadcast should be used. • The Court noted that the right of access to justice as set out in Article 21 of the Constitution, which protects the right to life and liberty, would be meaningful only when the public gets access to the proceedings. In addition, the Court commented that the State has an obligation to spread awareness about the law to enable individuals to understand the law. The Court also remarked, that it was now well settled that Article 19(1) (a) of the Constitution confers the right to know and receive information. So the public is entitled to witness Court proceedings.
5.	<i>Pradyum Bisht vs. Union of India., (2018) 15 SCC 433</i> Installation of CCTV Cameras inside the court.

6.	<p><i>All India Judges' Association v. UoI, (2018) 17 SCC 555</i></p> <p><i>Sound infrastructure is vital for strong and stable judicial system. It is imperative for State to provide requisite infrastructure to judiciary- Poor infrastructure causes impediments in access to justice – Democracy cannot afford to undermine core values of Rule of Law. Adequacy of judicial resources/infrastructure- stages in court development, set out- necessary facilities to be part of a court complex, listed- handling of financial; and budgeting matters, enumerated- Further directions in providing court infrastructure, issues.</i></p>
7.	<p><i>Imtiyaz Ahmad v State of U. P. and others (2017) 3 SCC 658</i></p> <p>The Supreme Court took note of the huge pendency of cases and issued certain guidelines regarding the clearing of arrears, timely disposal, pretrial custody issues, trial date certainty, etc. and suggested the application of the “unit system” which allocates different units for disposal of different cases. Such Unit system should be then applied to assess the required judge strength.</p> <p>The approach of various statutory bodies towards improving judicial administration – Examination of issue of setting up additional courts and providing additional infrastructure for ensuring access to justice and speedy disposal of cases. Need of revising unit-based norms of disposal – Prioritizing disposal of old and complex cases</p>
8.	<p><i>Hussain v. UoI, (2017) 5 SCC 702</i></p> <p>Bail applications be disposed of normally within one week;] [Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. This Court has held that while a person in custody for a grave offence may not be released if trial is delayed, trial has to be expedited or bail has to be granted in such cases [Supreme Court Legal Aid Committee (Representing Undertrial Prisoners) v. Union of India, (1994) 6 SCC 731, para 15 : 1995 SCC (Cri) 39] Shaheen Welfare Association v. Union of India (1996) 2 SCC 616.</p>
9.	<p><i>Surjit Singh v. Gurwant Kaur, (2015) 1 SCC 665</i></p> <p>It has been held by the Apex Court that exercise of power under Order 41 Rule 27 C.P.C. is circumscribed by limitation specified in the language of the Rule and it is duty of the Court to come to a definite conclusion that it is really necessary to accept the document as additional evidence to enable it to pronounce the judgment and in case Appellate Authority is able to pronounce the judgment with material before it without taking in to consideration the additional evidence sought to be adduced, the application for additional evidence is liable to be rejected.</p>
10.	<p><i>Renu v. District & Sessions Judge, (2014) 14 SCC 50</i></p> <p>Administrative control over the Subordinate Courts extends to all functionaries attached to the Subordinate Courts including the ministerial staff and servants in the establishment of the Subordinate Courts and such control is exclusive in nature, comprehensive in extent, and effective in operation.</p>
11.	<p><i>Gurnaib Singh v. State of Punjab (2013)7SCC108</i></p> <p>Frequent adjournments granted by the trial court. Role of trial court in monitoring trial according to procedures.</p>
12.	<p><i>Kishore Samrite v. State of Uttar Pradesh, (2013) 2 SCC 398</i></p> <p>The Apex Court held that the party not approaching the court with clean hands would be liable to be non-suited and such party, who has also succeeded in polluting the stream of justice by making patently false statements, cannot claim relief specifically under Art. 136 of the</p>

	Constitution. The person seeking equity must do equity. It is not just the clean hands, but also clean mind, clean heart and clean objective that are the equi-fundamentals of judicious litigation.
13.	<i>Imtiyaz Ahmed vs. State of Uttar Pradesh & ors (2012) 2 SCC 688</i> Supreme Court directs the Law Secretaries of all State Governments to file affidavits relating to budget allocation and utilization. S, the Supreme Court had asked the Law Commission of India to evolve a method for scientific assessment of the number of additional courts required to clear the backlog of cases. In the long term, the judge strength of the subordinate courts will have to be assessed by a scientific method to determine the total number of “Judicial Hours” required for disposing of the caseload of each court. In the interim, the Committee has proposed a “weighted” disposal approach i.e. disposal weighted by the nature and complexity of cases in local conditions.
14.	<i>P. Ramachandra Rao v. State of Karnataka, (2012) 9 SCC 430</i> In this case, the Apex Court laid down certain factors to identify whether an accused has been deprived of his Right to Speedy Trial. They are: <ul style="list-style-type: none"> • length of delay, • the justification for the delay, • the accused assertion of his Right to Speedy Trial, and • prejudice caused to the accused by such delay. If nothing is shown and there are no circumstances to raise a presumption that the accused had been prejudiced there will be no justification to quash the conviction on the ground of delayed trial only. The court also laid down certain guidelines and held that the powers conferred under Sections 309, 311, and 258 of the Code of Criminal Procedure shall be exercised by the criminal courts to effectuate the Right to Speedy Trial. To seek appropriate relief and directions, the jurisdiction of the High Court under Section 482 of Cr. P.C. and Articles 226 and 227 of the Constitution can be invoked.
15.	<i>Rameshwari Devi and Ors. Vs. Nirmala Devi and Ors. (2011) 8 SCC 249</i> The court laid down guidelines which the courts should adopt in preventing prolonged litigation and also cautioning courts on the grant of indiscriminate ex parte orders. Unless the courts, by appropriate orders or directions remove the cause for motivation or the incentives, uncalled for litigation will continue to accrue, and there will be expansion and obstruction of the litigation. Court time and resources will be consumed and justice will be both delayed and denied. Framing of issues is a very important stage in the civil litigation and it is the bounden duty of the court that due care, caution, diligence and attention must be bestowed by the learned Presiding Judge while framing of issues.
16.	<i>Khanapuram Gandaiah v. Administrative Officer, (2010) 2 SCC 1</i> Unwarranted inquiry or malicious litigation would affect the independence of the subordinate judiciary. An appellate court can correct an error in judgement of a subordinate court but must refrain from commenting on the judges.
17.	<i>Nawal Singh v. State of U.P., (2003) 8 SCC 117</i> Judiciary cannot afford service of persons of doubtful integrity or who have lost their utility. It was also reiterated that for keeping the stream of justice unpolluted, repeated scrutiny of service records of judicial officers after a specified age/completion of specified years of service provided under the Rules is a must by each and every High Court as the lower judiciary is the foundation of the judicial system.
18.	<i>Chandra Singh v. State of Rajasthan, (2003) 6 SCC 545</i>

	Article 235 of the Constitution of India enables the High Court to assess the performance of any judicial officer at any time with a view to discipline the black sheep or weed out the deadwood. This constitutional power of the High Court cannot be circumscribed by any rule or order... The nature of judicial service is such that it cannot afford to suffer continuance in service of persons of doubtful integrity or who have lost their utility.
19.	<i>Shingara Singh v. State of Haryana, (2003) 12 SCC 758</i> When the period of deprivation pending trial becomes unduly long, the fairness assured in Article 21 would receive a jolt and also discussed the impact of delay at the appeal stage.
20.	<i>K', A Judicial Officer, In re, (2001) 3 SCC 54</i> Under Article 235, the emphasis should not be on punishment, but on discouraging the repetition of errors or failures.
21.	<i>Rajiv Gupta v. State of H.P., (2000) 10 SCC 68</i> If the trial of a case for an offence that is punishable with imprisonment up to three years has been pending for more than three years and if the trial is not commenced, then the criminal court is required to discharge and acquit the accused.
22.	<i>Madan Mohan Choudhary v. State of Bihar, (1999) 3 SCC 396</i> Though the officers of subordinate judiciary are public servants their whole service is placed under the control of the High Court and the Governor cannot make any appointment or take any disciplinary action including action for removal or compulsory retirement unless the High Court is consulted.
23.	<i>High Court of Punjab & Haryana v. Ishwar Chand Jain, (1999) 4 SCC 579</i> A satisfactory judicial system depends largely on the satisfactory functioning of courts at the grass-roots level. Remarks recorded by the Inspecting Judge are normally endorsed by the Full Court and become part of the annual confidential reports and are foundations on which the career of a judicial officer is made or marred. Inspection of a subordinate court is thus of vital importance. It has to be both effective and productive. It can be so only if it is well-regulated and is workman-like. Inspection of subordinate courts is not a one-day or an hour or a few minutes' affair. It has to go on all the year round by monitoring the work of the court by the Inspecting Judge. A casual inspection can hardly be beneficial to a judicial system. It does more harm than good.
24.	<i>Registrar High Court of Madras v. R. Rajiah (1988) 3 SCC 211</i> There could be ill-conceived or motivated complaints. Rumour-mongering is to be avoided at all costs as it seriously jeopardizes the efficient working of the subordinate courts.
25.	<i>High Court of Judicature of Bombay v. Shirishkumar Rangrao Patil, (1997) 6 SCC 339</i> The mandate of Article 235 of the Constitution is that the High Court has to maintain a constant vigil on its subordinate judiciary. Thus, Article 235 of the Constitution of India enables the High Court to assess the performance of any judicial officer at any time with a view to discipline the black sheep or weed out the deadwood, and this constitutional power of the High Court cannot be circumscribed by any rule or order.
26.	<i>Abdul Rehman Antulay v. R.S. Nayak, (1992) 1 SCC 225</i> Right to a speedy trial under Article 21 is available at all stages namely, the stage of an investigation, inquiry, trial, appeal, revision and retrial. The Court laid down detailed guidelines for the speedy trial of an accused in a criminal trial but refused to set a time limit for the conclusion of the trial. The Court held that the nature of the offense and the circumstances may be such that quashing of proceedings may not be in the interest of justice. In such a case it may make an order that the trial may be concluded within a fixed time and reduce the sentence.
27.	<i>State of Maharashtra v. Champalal Punjaji Shah, (1981) 3 SCC 610</i> While deciding the question of whether there has been a denial of the right to a speedy trial, the Court is entitled to take into consideration whether the delay was unintentional, caused by

	overcrowding of the court's docket or understaffing of the prosecutors and whether the accused contributed a fair part to the time taken.
28.	<i>Hari Datt Kainthla v. State of H.P., (1980) 3 SCC 189</i> If any new rules are formulated under Art.309 for regulating recruitment and conditions of services of District Judges they will have to be in conformity with Art.233's Constitutional mandate or else will be <i>ultra vires</i> .
29.	<i>Hussainara Khatoon (I) v. Home Secy., State of Bihar, (1980) 1 SCC 81</i> <ul style="list-style-type: none"> • The "right to a speedy trial" is a fundamental right implicit in the right of life and personal liberty provided under Article 21 of the Indian Constitution. The court-mandated greater access to bail, more humane living standards and a significant reduction in time from arrest to trial. • Speedy trial is of the essence of criminal justice and there can be no doubt that delay in trial by itself constitutes denial of justice. It is interesting to note that in the United States, speedy trial is one of the constitutionally guaranteed rights.
30.	<i>Maneka Gandhi v. Union of India (1978) 1 SCC 248</i> Recognized speedy trial as an integral and essential part of the fundamental right to life and liberty guaranteed under Article 21 of the Constitution.

Additional Readings

1.	Judicial Ethics Bench Guide: Answers to frequently asked Questions; A Project of the Florida Court Education Council's Publications Committee, 2018
2.	Raymond J. McKoski, Adjunct Professor, The John Marshall Law School, <i>Judges in Street Clothes: Acting Ethically off-the-Bench</i>
3.	NCMS Baseline Report on Case Management System: Report of the Sub Committee headed by Hon'ble Mr. Justice A.M. Khanwilkar
4.	Vineet Kothari, Quality of judicial dispensation in India: are we ready to meet international expectations, NMIMS Journal of Economics and Public Policy, Volume I • Issue 2 • October - November 2016
5.	Dory Reiling; Technology for Justice; How Information Technology Can Support Judicial Reform
6.	E Richardson, P Spencer and D Wexler, The International Framework for Court Excellence and Therapeutic Jurisprudence: Creating Excellent Court and Enhancing Wellbeing (2016) 25 Journal of Judicial Administration 148, p. 148-166.
7.	A Brief Report submitted by Anil Kumar Gulati, Joint Secretary, Department of Justice on his participation in the International Conference on Court Excellence at Singapore. http://doj.gov.in/sites/default/files/A-Brief-Report-on-tour.pdf .
8.	Marilyn Warren AC, The Aspiration of Excellence A Paper presented at 'Judiciary of the Future – International Conference on Court Excellence, Singapore' 28-29 January 2016
9.	NCMS Baseline Report on Court Development Planning System (Infrastructure & Budgeting) Report of the sub-committee headed by Hon'ble Mr. Justice Badar Durrez Ahmed.
10.	Proposed NJA "Draft Model National Framework for Court Excellence" Ministry of Law and Justice, Government of India
11.	Concept and Elements of Model Courts Ministry of Law and Justice, Government of India.
12.	E-Court friendly Court Infrastructure (Building Designs) Ministry of Law and Justice, Government of India

13.	Sharing Approaches with the Private Sector: Measuring and Managing Quality of Justice Services Chapter 5 from ‘ Improving the Performance of Justice Institutions ’ (A World Bank), p. 109-126
14.	Global Measures of Court Performance,” International Consortium for Court Excellence (2018). Available at : http://www.courtexcellence.com/Resource/The - Framework.aspx
15.	Dr Liz Richardson, “ The Use, Modification and Impact of the International Framework for Court Excellence: A Research Paper ”, International Consortium for Court Excellence June 2017 (v 2)
16.	Arunav Kaul, Performance Indicators: Working of Magistrates’ Courts in India , Chapter - 2 Approaches to Justice in India [A Report by Daksh] 2018 EBC.
17.	Chapter II “Defining Key Concepts: Pendency, Delay, Arrears, and Backlog” from Arrears and Backlog: Creating Additional Judicial (wo)manpower , Report No. 245, Law Commission of India, Government of India, July, 2014 Available at: http://lawcommissionofindia.nic.in/reports/Report_No.245.pdf
18.	Brian Ostrom, Roger Hanson, and Judge Kevin Burke, Creating a New Generation of Court , Court Review- Volume 47 2012
19.	Brian J. Ostrom and Roger A. Hanson, The High-Performance Court Framework, A road Map for Improving Court Management , National Center for State Courts 2010 Available at: http://ncsc.contentdm.oclc.org/cdm/ref/collection/ctadmin/id/2040
20.	Courts of Tomorrow, Technology adoption for delivery of timely justice, Working Paper June 2012, Office of Adviser to the Prime Minister Public Information Infrastructure & Innovations Available at: http://initiatives.sampitroda.com/iii/images/stories/Courts%20of%20Tomorrow%204.0.pdf
21.	European Semester Thematic Fiche: Effective Justice Systems; European Commission Available at: http://ec.europa.eu/europe2020/pdf/themes/2015/effectiveness_of_justice.pdf
22.	Dr. Pim Albers, Improving The Quality of Courts, International Expert Administration of Justice Available at: https://vestnik-pravo.mgu.od.ua/archive/juspradenc6-1-2/49.pdf
23.	Trial Court Performance Standards: Bureau of Justice Assistance Available at: https://www.ncjrs.gov/pdffiles1/161570.pdf
24.	National Court Management Systems (NCMS) Policy and Action Plan Available at: https://main.sci.gov.in/pdf/NCMSP/ncmspap.pdf
25.	Checklist for Promoting the Quality of Justice and the Courts European commission for efficiency of justice (CEPEJ), 2008 Available at: https://rm.coe.int/european-commission-for-efficiencyof-justice-cepej-checklist-for-promo/16807475cf
26.	Building Better Courts Surveying the Infrastructure of India’s District Courts , Vidhi Centre for Legal PolicY, August 7, 2019
27.	Practice Direction on the use of Electronic Court Management System, United Nations International Residual Mechanism for Criminal Tribunal February 20, 2019, Available at : https://www.irmct.org/sites/default/files/documents/190220-practice-direction-electronic-court-menagement-system.pdf
28.	Use of digital technologies in judicial reform and access to justice cooperation , HiiL Available at : https://www.hiil.org/research/digital-technology-and-judicial-reform/

29.	Surya Prakash B.S, Budgeting for the Judiciary , State of the Indian Judiciary: A Report by DAKSH, 2016 file:///C:/Users/NJA-PC-72/Downloads/SSRN-id3826289.pdf
30.	Emmanuel Jeuland, Towards a New Court Management? General Report , Université Paris 1 - Panthéon Sorbonne. 2018. Available at : https://hal.science/hal-01680418/document
31.	Max Visser et al., Controlling the Courts: New Public Management and the Dutch Judiciary , Justice System Journal, Vol. 40, NO. 1, 2019, pp:39–53 Available at : https://doi.org/10.1080/0098261X.2018.1539645
32.	Amit Kumar Pathak, Court Managers in India – how far they helping the Indian judicial system? , February 22, 2019 Available at : http://courtmanagement.in/paper-upload/35-10.%20Amit%20pathak.pdf
33.	Tania Sourdin, Judge vs. Robot? Artificial intelligence and Judicial decision-making , UNSW Law Journal Volume 41(4), pp: 1114- 1133, (2018)
34.	Pinaki Nandan Pattnaik et al., Mapping critical success factors in efficient court management: two case studies from India , International Journal of Law and Management, Vol. 60 Issue: 2, (2018), pp.717-729 Available at : https://doi.org/10.1108/IJLMA-03-2017-0023
35.	Juan Gustavo CORVALÁN, PROMETEA: Artificial Intelligence to Transform Justice and Public Organizations , December 2022 Available at : http://courtmanagement.in/paper-upload/78-Prometea.pdf
36.	Arizona Task Force on Court Management of Digital Evidence, Report and Recommendations of the Arizona Task Force on Court Management of Digital Evidence , 13 WASH. J. L. TECH. & ARTS 165 (2018). Available at: https://digitalcommons.law.uw.edu/wjlta/vol13/iss2/4
37.	Walker, T and Verhaert, P (2018), Technology for Legal Empowerment, Global Review , Open Society Justice Initiative, The Engine Room. Available at : https://library.theengineroom.org/legal-empowerment/